

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT**

People v. Battle

2026 NY Slip Op 00790 (N.Y. Ct. App. 2026) · No. 2023-05042 · Decided February 11, 2026

OPINION

People v. Battle 2026 NY Slip Op 00790

PER CURIAM.

People v Battle (2026 NY Slip Op 00790) People v Battle 2026 NY Slip Op 00790 Decided on February 11, 2026 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided on February 11, 2026

SUPREME COURT OF THE STATE OF NEW YORK

Appellate Division, Second Judicial Department BETSY BARROS, J.P.

DEBORAH A. DOWLING

LOURDES M. VENTURA

JAMES P. MCCORMACK, JJ. 2023-05042

(Ind. No. 70418/23) [*1]The People of the State of New York, respondent, v Dayvon Battle, appellant. Patricia Pazner, New York, NY (Samantha Jerabek of counsel), for appellant. Melinda Katz, District Attorney, Kew Gardens, NY (Johnnette Traill and Charles T. Pollak of counsel; Agnes T. Chang on the brief), for respondent. DECISION & ORDER Appeal by the defendant from a judgment of the Supreme Court, Queens County (Michael J. Yavinsky, J.), rendered May 10, 2023, convicting him of criminal contempt in the second degree, upon his plea of guilty, and imposing sentence. ORDERED that the judgment is affirmed. The defendant's contention regarding the duration of the orders of protection issued at the time of sentencing is unpreserved for appellate review, as the defendant failed to object to the duration of the orders of protection at sentencing (see CPL 470.05[2]; People v Nieves , 2 NY3d 310, 316-318 ; People v Almonds , 238 AD3d 893). Under the circumstances, we decline to reach this contention in the exercise of our interest of justice jurisdiction (see People v Demilio , 227 AD3d 1098 , 1100-1101; People v Mensah , 221 AD3d 732, 733). BARROS, J.P., DOWLING, VENTURA and MCCORMACK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court